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**CENTRAL FAX CENTER****FAX TRANSMISSION****JAN 05 2005****DATE:** January 5, 2005**PTO IDENTIFIER:** Application Number 10/669,503-Conf. #4338  
Patent Number**Inventor:** Shigeru Kawano et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (703) 872-9306**FROM:** CONNOLLY BOVE LODGE & HUTZ LLP  
Burton A. Amernick**PHONE:** (202) 331-7111**Attorney Dkt. #:** 21581-00256-US1**PAGES (Including Cover Sheet):** 66**CONTENTS:** Information Disclosure Statement  
IDS Citation/Cited References  
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PTO/SB/07 (09-04)  
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Application No. (if known): 10/669,503

Attorney Docket No.: 21581-00256-US1

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JAN 05 2005

Docket No.: 21581-00256-US1  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Shigeru Kawano et al.

Application No.: 10/669,503

Confirmation No.: 4338

Filed: September 25, 2003

Art Unit: 1652

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For: PROCESS FOR PRODUCING OPTICALLY  
ACTIVE PYRIDINEETHANOL  
DERIVATIVES

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Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A copy of each reference on the PTO/SB/08 is attached.

A concise explanation of relevance of the items listed on form PTO/SB/08 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

Application No.: 10/669,503

Docket No.: 21581-00256-US1

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0185, under Order No. 21581-00256-US1.

Dated: January 5, 2005

Respectfully submitted,

By 

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Substitute for form 1449A/B/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		Application Number	10/669,503-Conf. #4338
		Filing Date	September 25, 2003
		First Named Inventor	Shigeru Kawano
		Art Unit	1652
		Examiner Name	Not Yet Assigned
Sheet	1	of	1
		Attorney Docket Number	21581-00256-US1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-5,385,833	01-31-1995	BRADSHAW, et al	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
	BA	PL-177372 B1	11-30-1999	AKADEMIA ROLNICZA,		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 801.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	Mitsuhiro Takeshita et al, Heterocycles. Synthesis of optically active hetero alkylaryl alcohols by baker's yeast (1987) Vol. 26, No. 12, pp. 3051-3054.	
	CB	David Bailey et al, Tetrahedron: Asymmetry. Preparation of highly enantiopure pyridylethanol by baker's yeast reductions (1993) Vol. 4, No. 6, pp. 1255-1258.	
	CC	Curt Bradshaw et al, J. Org. Chem. Lactobacillus kefir Alcohol dehydrogenase: A useful catalyst for synthesis (2-28-1992) Vol. 57, No. 5, pp. 1532-1536.	
	CD	Yoshinobu Naoshima et al, Recent Res. Devel. in Phytochem., 2. Biotransformations by plant cell cultures: Preparation of chiral alcohols by enantioselective reduction of organic compounds with immobilized cells of carrot (1998) pp. 11-21.	
	CE	P. N. Patil et al, Biotechnology Letters. Enantiomeric synthesis of pyridyl-1-ethanol using rhizopus arrhizus (February 1996) Vol. 18, No. 2, pp. 159-162.	
	CF	Robert Seemayer et al, Tetrahedron: Asymmetry. Preparation of optically pure pyridyl-1-ethanol (1992) Vol. 3, No. 7, pp. 827-830.	

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Examiner Signature		Date Considered	
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373677



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00942359.1-2404-JP0004237

Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire

KANEKA CORPORATION

## COMMUNICATION

The European Patent Office herewith transmits as an enclosure the European search report for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

☒ Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

## REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





European Patent  
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**SUPPLEMENTARY  
EUROPEAN SEARCH REPORT**

Application Number  
EP 00 94 2359

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
X	PATIL, P. N. ET AL: "Enantiomeric synthesis of pyridyl-1-ethanols using Rhizopus arrhizus" BIOTECHNOLOGY LETTERS, vol. 18, no. 2, 1996, pages 159-162, XP001203858 * the whole document *	1,6,12, 13	
X	US 5 385 833 A (BRADSHAW CURT W ET AL) 31 January 1995 (1995-01-31) * the whole document *	12,13	
A	SEEMAYER & SCHNEIDER: TETRAHEDRON ASYMMETRY, vol. 3, no. 7, 1992, pages 827-830, XP002307469 * the whole document *	1-11, 34-37	
P,X	PL 177 372 B (AKADEMIA ROLNICZA, WROCLAW, PL) 30 November 1999 (1999-11-30) * the whole document *	1,12,13	
<div style="text-align: right;">TECHNICAL FIELDS SEARCHED (Int.Cl.7)</div>			
<p>The supplementary search report has been based on the last set of claims valid and available at the start of the search.</p>			
Place of search Munich		Date of completion of the search 6 December 2004	Examiner Vogt, T
<p><b>CATEGORY OF CITED DOCUMENTS</b></p> <p>X : particularly relevant if taken alone  Y : particularly relevant if combined with another document of the same category  A : technological background  O : non-written disclosure  P : intermediate document</p> <p>T : theory or principle underlying the invention  E : earlier patent document, but published on, or after the filing date  D : document cited in the application  L : document cited for other reasons  &amp; : member of the same patent family, corresponding document</p>			

EPO FORM 1503 (03.02.94) (P4/C04)

**ANNEX TO THE EUROPEAN SEARCH REPORT  
ON EUROPEAN PATENT APPLICATION NO.**

EP 00 94 2359

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report.  
The members are as contained in the European Patent Office EDP file on  
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06-12-2004

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5385833	A	31-01-1995	NONE	
PL 177372	B	18-09-1995	PL 307917 A1	18-09-1995

EPO FORM P0459

For more details about this annex : see Official Journal of the European Patent Office, No. 12/82



European Patent  
OfficeSUPPLEMENTARY  
EUROPEAN SEARCH REPORTApplication Number  
EP 00 94 2359

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (InCL7)
X	BAILEY ET AL.: TETRAHEDRON ASYMETRY, vol. 4, no. 6, 1993, pages 1255-1258, XP002307467 * compounds 3,3A *	1,6,18	C12N9/02 C12P17/18 C12P41/00 C12N15/53 C12N15/63 C12N1/21 C12R1/72 C12R1/11 C12R1/19 C12P17/12
X	TAKESHITA M ET AL: "SYNTHESIS OF OPTICALLY ACTIVE HETERO ALKYLARYL ALCOHOLS BY BAKER'S YEAST" HETEROCYCLES (TOKYO), vol. 26, no. 12, 1987, pages 3051-3054, XP009040627 ISSN: 0385-5414 * the whole document *	1,12,13, 18	
X	BRADSHAW C W ET AL: "LACTOBACILLUS KEFIR ALCOHOL DEHYDROGENASE: A USEFUL CATALYST FOR SYNTHESIS" JOURNAL OF ORGANIC CHEMISTRY, AMERICAN CHEMICAL SOCIETY. EASTON, US, vol. 57, no. 5, 28 February 1992 (1992-02-28), pages 1532-1536, XP000676600 ISSN: 0022-3263 * the whole document *	1,6,12, 13,18	TECHNICAL FIELDS SEARCHED (InCL7)  C12N C12P C12R
X	NAOSHIMA, YOSHINOBU ET AL: "Biotransformations by plant cell cultures: preparation of chiral alcohols by enantioselective reduction of organic compounds with immobilized cells of carrot" RECENT RESEARCH DEVELOPMENTS IN PHYTOCHEMISTRY, vol. 2, 1998, pages 11-21, XP001203864 * the whole document *	1,6,12, 13	
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			
Place of search Munich		Date of completion of the search 6 December 2004	Examiner Vogt, T
CATEGORY OF CITED DOCUMENTS X: particularly relevant if taken alone Y: particularly relevant if combined with another document of the same category A: technological background O: non-written disclosure P: intermediate document T: theory or principle underlying the invention E: earlier patent document, but published on, or after the filing date D: document cited in the application L: document cited for other reasons &: member of the same patent family, corresponding document			

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